



Animal Welfare Institute

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TESTIMONY ON H.B. HB 5916/5917

Presented by Vicki Deisner, Animal Welfare Institute
Before the Michigan House Agriculture Committee
Wednesday, May 9, 2018

Chair Barrett, Majority Vice-Chair Alexander, Minority Vice-Chair Elder, and distinguished members of the House Agriculture Committee, I am Vicki Deisner, testifying on behalf of the Animal Welfare Institute (AWI). On behalf of AWI and all of our MI supporters and members, we respectfully urge the House Agriculture Committee to oppose H.B. 5916/5917, and stand up both for the victimized and vulnerable animals in puppy mills, and for those Michigan communities that have taken a stand to protect their citizens by banning the sale of puppies from puppy mills.

Where should Michigan stand on the question of regulating business? The general assumption is the free market should dictate what ideas, products, and services are useful to the public—and consumer demand will determine who succeeds and who fails. Indeed, it is a slippery slope when government intercedes and attempts to tell businesses what they can and cannot do. However, there are times, though limited, when government does—and indeed must—step in to prevent severe harm to communities and their residents. There is precedent on the federal, state, and local levels of acting to protect people from egregious harm. Examples of that would be environmental protections, health and safety regulations, child-labor laws, and consumer fraud.

With respect to purchases from pet stores, there has been consumer fraud resulting in both financial and emotional harm to Michigan families. Complaints lodged with the Better Business Bureau point to disturbing trends in how pet stores in Michigan conduct business. For example, Petland provides loans to customers caught up in the moment of wanting a puppy they can't afford, then handling medical concerns by referring customers to another company under the Petland umbrella that has been set up to handle complaints—slowly—and often offering to replace the puppy as though it were a toaster. That exchange would mean the sick animal would be put down. In the end, the families have heartbreak, medical bills, and a loan to still pay off. Are these isolated incidents? Every business experiences complaints. However, the concerns of Petland customers show the same trends in medical problems – cardiac, respiratory, and gastric diseases, infections, and congenital abnormalities. What do these trends point to? Poorly run large-scale breeders inbreeding unhealthy animals, with the result being sick puppies going to unsuspecting owners. It ends badly for everyone—except Petland.

Would statewide pet store regulations help address this situation, creating minimal standards for all pet stores in Michigan? AWI believes statewide regulations that are truly protective of consumers, such as the puppy mill lemon law that Illinois passed, would be helpful. H.B. 5916/5917 are not those bills.

Many pet store puppies come from puppy mills, i.e., commercial dog breeding operations where profit is given priority over the well-being of the dogs. In puppy mills, it is common for breeding

dogs to spend their entire lives in tiny wire-floored cages stacked on top of one another, without access to proper veterinary care or human affection. Commercial dog breeding is regulated by the U.S. Department of Agriculture (USDA) under the Animal Welfare Act, but the AWA's very minimal standards are inadequately enforced. In 2010, the Office of the Inspector General issued a scathing report documenting lax enforcement by the agency. This report found that the USDA rarely revokes licenses, and enforcement, sometimes just a warning letter, takes between 600 and 1,431 days after a facility is cited for a violation. At one facility, dogs were so badly starved that they had resorted to cannibalism, yet the facility was allowed to continue to operate and sell puppies to pet stores. Another was described as having a "deep pool of urine and feces" under the animals' enclosures. Dogs were seen with gaping wounds left untreated, and the flea and tick infestations were so bad that you could barely see the dogs' faces. The USDA did not shut these facilities down. Puppies from these facilities and others just like them are sold to unwitting consumers who, all too often, bring home a sick puppy whose parents were treated in a manner the consumer would likely find intolerably cruel.

Supporters of H.B. 5916/5917 claim they are offering a regulatory scheme for pet stores, but in reality they are specifically permitting Michigan pet stores to source their animals from the very types of "high volume breeders" that cities are trying to defend themselves against by enacting local measures. For example, Mr. Stottele, who has several operations in Michigan and Family Puppy in Toledo, Ohio, has stated that his operations and the breeders from whom he purchases are setting the standard for responsible breeding and sales to families in his communities. But, instead of following Toledo spay-neuter regulations meant to address the homeless pet crisis there, The Family Puppy chose to pay fines of nearly \$20,000 in lieu of having the animals they sell altered. The store also violated federal importation requirements (they purchase from breeders in Indiana). The Michigan Department of Agriculture rejected importation records from The Family Puppy over an eight-month period for over 400 puppies due to missing vaccinations and expired records. Certificates of Veterinary Inspection required for puppies imported to The Family Puppy showed illness, genetic defects, and other abnormalities. In one year, 18 percent of the puppies had noted defects – some very serious and costly to the families who purchased these animals for a high price. The puppies from The Family Puppy sell on the average from \$1,400 - \$3,500.

Petland claims they purchase puppies from responsible breeders, and that local pet store ordinances will affect their business. Yet, it would seem from the information obtained from the Better Business Bureau (BBB) on their operations that their method of doing business is what is impacting their success. The complaints filed against Petland show a disturbing trend. Many consumers encounter the same medical issues – severe respiratory distress, seizures/epilepsy, gastric parasites, genetic joint issues, deafness, and even animals who are neutered but are marketed as intact. Thus, as a result of the inhumane conditions at the breeding facilities with which Petland does business, dogs bought there face lifelong, chronic health problems and their families face ongoing high medical expenses—that is, if the animal does not die immediately of acute medical problems, which has also been documented. One family lost its puppy within 24 hours. The response of Petland? Not our problem, the dog was checked by our vet and was fine in the store, we can replace your dog, response delayed for weeks, and promises not fulfilled. The comments made by consumers after their experiences – Petland is not a place of care, it is a place of profit only. Petland fraudulently markets animals who are broken.